



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
P.O. Box 402
TRENTON, NJ 08625-0402

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

September 13, 2010

Lisa P. Jackson, Administrator
United States Environmental Protection Agency
Office of the Administrator
401 M Street, SW
Room 1200 WT\1101
Washington, DC 20460

Dear Administrator Jackson,

On behalf of the State of New Jersey, enclosed is a supplement to New Jersey's May 12, 2010 petition pursuant to Section 126 of the Clean Air Act, 42 U.S.C. § 7426, seeking reductions in emissions from the coal-fired Portland Generating Station ("Portland Plant") in Upper Mount Bethel Township, Northampton County, Pennsylvania. This supplemental petition provides additional documentation demonstrating that emissions from the Portland Plant are also significantly contributing to nonattainment of the recently enacted health-based 1-hour sulfur dioxide ("SO₂") National Ambient Air Quality Standard ("NAAQS") in New Jersey.

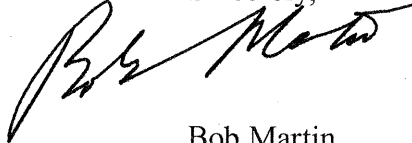
The New Jersey Department of Environmental Protection ("NJDEP") completed modeling analyses that demonstrate violations of the 1-hour SO₂ NAAQS in Warren County, as well as, Sussex, Morris and Hunterdon Counties in New Jersey. The magnitude and spatial extent of the 1-hour SO₂ NAAQS violations caused by Portland's emissions in New Jersey far exceed the 3-hour and 24-hour SO₂ NAAQS violations demonstrated in the May 12, 2010 submittal. It is critical that USEPA remedy the impact of the Portland Plant's emissions on New Jersey's ability to attain and maintain the SO₂ NAAQS. The health and welfare impacts of sulfur dioxide and the magnitude and extent of the violations compel expeditious action. Further, any remedy chosen by the USEPA must ultimately lead to an actual reduction of emissions from the Portland Plant. The NJDEP urges the USEPA to take action to mitigate the significant impact of the Portland Plant's emissions in New Jersey.

On July 12, 2010, the USEPA extended by six months the deadline for action on New Jersey's Section 126 petition, *see* 75 Fed. Reg. 39,633 (July 12, 2010), which would require, at a minimum, the USEPA to grant or deny New Jersey's petition by January 12, 2011. New Jersey respectfully requests again that the public hearing related to the USEPA's action on this petition and this supplemental petition be held in Warren County, New Jersey. A greater number of New Jersey's citizens are being negatively impacted by the emissions from the Portland Plant than

originally determined and should be accommodated and afforded every opportunity to participate in the associated public process.

I welcome the opportunity to discuss this matter with you. I can be contacted at (609) 292-2885. Assistant Commissioner Wolf Skacel, head of my Compliance & Enforcement Division, can be contacted at (609) 777-0122 and Assistant Commissioner Nancy Wittenberg, head of my Climate & Environmental Management Division, can be reached at (609) 292-2795.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Martin", written in a cursive style.

Bob Martin
Commissioner

- c: Judith A. Enck, Regional Administrator, US EPA Region 2
- Shawn M. Garvin, Regional Administrator, US EPA Region 3
- Gina McCarthy, Assistant Administrator, Office of Air and Radiation, US EPA
- John Hanger, Secretary, PADEP
- Paula T. Dow, New Jersey Attorney General
- Nancy Wittenberg, NJDEP Assistant Commissioner
- Wolf Skacel, NJDEP Assistant Commissioner